

CHRISTOPHER  
&  
WEISBERG, P.A.  
ATTORNEYS AT LAW

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MAR 17 2006

OFFICE OF PETITIONS

200 EAST LAS OLAS BOULEVARD, SUITE 2040 FORT LAUDERDALE, FLORIDA 33301

TELEPHONE (954) 828-1488 FACSIMILE (954) 828-9122

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**FAX COVER SHEET**

DATE:	March 17, 2006	FROM:	Judith A. Parrish
TO:	<b>Beth-Ann Dayaoon</b> <b>Office of Petitions</b>		
FIRM:	USPTO	FAX NO.:	(954) 828-9122
FAX NO.:	1-571-273-0025	PHONE NO.:	(954) 828-1488
PHONE NO.:	1-571-272-3209	E-MAIL	jparrish@cwiplaw.com
FILE NO.	1172-3U	PAGES, INCLUDING COVER	9

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Re:	Application Number:	09/993,820
	Filing Date:	November 16, 2001
	Applicant(s):	Darin Prizzi
	Entitled:	TOWEL HOLDER
	Examiner:	Anita M. King
	Group Art Unit:	3632
	Attorney Docket No.:	1172-3U

---

Dear Beth-Ann,

We enclose a copy of the petition as filed back on March 7, 2005. I spoke to Kenya McLaughlin earlier today and she suggested that I fax a copy to you. I am also faxing a copy to the main fax line @ 571-273-8300.

Please do not hesitate to contact me if you have any questions (954-828-1488).

Thank you.

S1881

Confidentiality Notice: The information contained in this transmission is legally privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone (collect) and return the original message to us at the above listed address via the U.S. Postal Service. We will reimburse you for postage and/or telephone expenses involved.

CHRISTOPHER & WEISBERG, P.A.  
200 East Las Olas Boulevard - Suite 2040  
Fort Lauderdale, Florida 33301  
Telephone: (954) 828-1488; Facsimile: (954) 828-9122

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Application No: 09/993,820  
Inventor(s): Darin Prizzi  
Filing Date: 11/16/2001  
Entitled: TOWEL HOLDER  
Attorney Docket No. 1172-3U

Examiner:  
Group Art Unit:

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OFFICE OF PETITIONS

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.

March 7, 2005

Peggy Shock

*Peggy Shock*  
Signature

Date of Signature and Mail Deposit

Name of Person Signing

Signature

Sir:

Transmitted herewith is a Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 CFR 1.37(b)

☒ Notice of Change of Correspondence Address is enclosed.

☒ A self-addressed, stamped postcard for verification and receipt is enclosed.

☒ Copy of cancelled check for previously paid petition fee for \$665.

☐ ... for \$85 for new petition fee.

☒ The Commissioner is hereby authorized to credit overpayments or charge payment of any additional fees associated with this communication to Deposit Account No. 502104.

Date: March 7, 2005

*Allen D. Brufsky*  
Attorney of Record: Allen D. Brufsky  
Registration No: 21,056

30804

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Darin Prizzi  
Title: Towel Holder  
Serial No.: 09/993,820  
Filed: November 16, 2001

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**MAR 17 2006**  
**OFFICE OF PETITIONS**

**RENEWED PETITION UNDER 37 C.F.R. 1.81 OR ALTERNATIVELY  
PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
APPLICATION UNDER 37 C.F.R. 1.37(b)**

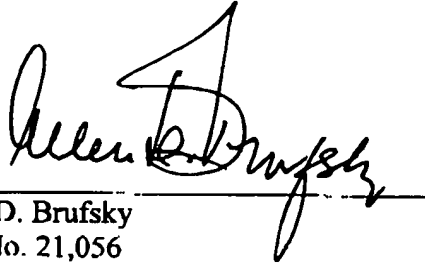
Responsive to the "Decision on Petition to Withdraw the Holding of Abandonment" (copy enclosed), dated June 17, 2004, Petitioner agrees with the Examiner that "The required notification of change of correspondence address need take no particular form". In the office action response dated 9/9/02 which was held non-compliant, applicant's attorney signed the paper giving his customer number 32575 as an indication of the correspondence address. This number was a clear indication of the correspondence address to be used in corresponding with the applicant. If the Patent Office had directed its holding of non-responsiveness to the customer number address, applicant's attorney would have received the same.

Therefore, it is respectfully requested that reconsideration of the decision on petition to withdraw the holding of abandonment should be had in light of this information, and the holding withdrawn.

If the above notification of change of correspondence address is still deemed sufficient, it is respectfully requested that the petition be converted to one to revive the application under 37 C.F.R. 1.137(b). The required reply to the non-compliant notice has previously been submitted

with the original petition to withdraw the holding of abandonment. The entire reply from the due date for the reply until the filing of this petition was unintentional as indicated by the factual findings. The fee for the petition of \$665 (small entity) was previously paid by Check No. 2871, a copy of which is enclosed. Enclosed is a check for \$85, representing the difference in the current fees.

Date: March 17, 2005

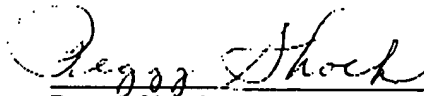


Allen D. Brufsky  
Reg. No. 21,056  
200 East Las Olas Boulevard  
Suite 2040  
Fort Lauderdale, FL 33301  
Phone: 954-828-1488  
Fax: 954-828-9122  
CUSTOMER NUMBER 32575

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this communication is being deposited with the United States Postal Service with sufficient postage as "First-Class" mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 17, 2005.

  
Peggy Shock

30641

## PATENT

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Peggy Shock  
Name of Person Mailing Paper

Peggy Shock  
Signature of Person Mailing Paper

March 7, 2005  
Date of Deposit

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 17 2006

OFFICE OF PETITIONS

Serial Number: 09/993,820  
Date: November 16, 2001  
Applicant(s): Darin Prizzi  
Entitled: TOWEL HOLDER  
Examiner: Anita M. King  
Group Art Unit: 3632  
Attorney Docket No.: 1172-3U

NOTICE OF CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please address all future communications for the above-identified application to:

Allen D. Brufsky, Reg. No.: 21056  
CHRISTOPHER & WEISBERG, P.A.  
200 East Las Olas Boulevard - Suite 2040  
Fort Lauderdale, Florida 33301  
Tel: (954) 828-1488  
Fax: (954) 828-9122  
Customer No. 32575

Respectfully submitted,

Dated: March 7, 2005

By:

Allen D. Brufsky  
Allen D. Brufsky  
Reg. No. 21056  
Attorney for Applicant(s)  
Christopher & Weisberg, P.A.  
200 East Las Olas Boulevard, Suite 2040  
Fort Lauderdale, FL 33301  
Customer No. 31292

30645

2006-03-17 15:59

954-828-9122 >> 7033086916

P 6/9  
4360

CHRISTOPHER & WEISBERG, P.A.  
200 E. LAS OLAS BLVD., SUITE 204.  
FT. LAUDERDALE, FL 33301

FT. LAUDERDALE, FL 33301  
63-1356/870

3/3/2005

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Director of the United States Patent and Trademark Office

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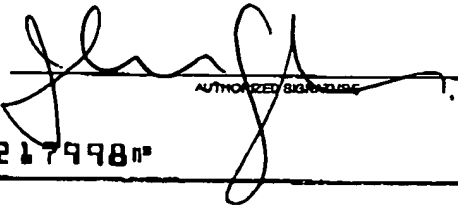
Eighty-Five & No/100 Dollars

DOLLARS

MEMO

Filing Fee 1172-3U

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AUTHORIZED SIGNATURE

CHRISTOPHER & WEISBERG, P.A.

4360

Director of the United States Patent and

Director

Invoice Date	Invoice No.	Description	Reference No.	Amount
3/3/2005	Filing Fee 1172-3U	Filing Fee 1172-3U		85.00

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3/3/2005 Director of the United States Patent and Trademark Office Director

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Invoice No.	Description	Reference No.	Amount
Filing Fee 1172-3U	Filing Fee 1172-3U		85.00

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03/17/2006 FRI 16:01 [TX/RX NO 5086] ⑈006

<b>ALLEN D. BRUFISKY, P.A.</b> <b>REGISTERED PATENT ATTORNEY</b> PHONE 239-281-8383 600 FIFTH AVE NAPLES, FL 34102		2871 6/24/04 65-843670 - BRANCH 65343
PAY TO THE ORDER OF <i>Director of Patent</i>	\$ <i>665<sup>00</sup>/<sub>100</sub></i>	DATE
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1007-10-20  
1000-07-01  
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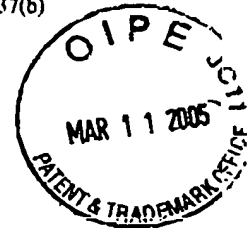
Back of the check.



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**USPTO: PLEASE VERIFY, STAMP DATE  
RECEIVED AND RETURN**

March 7, 2005  
Attorney Docket No. 1172-3U, U.S. continuation patent application -  
Applicant(s):  
For: TOWEL HOLDER  
**Received by Box Petitions, Commissioner for Patents**  
1. Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive  
Unintentionally Abandoned Application Under 37 CFR 1.37(b)  
2. Check to Director in the amount of \$85  
3. Transmittal letter  
4. Copy of cancelled check for previously paid filing fee



\*\*\*\*\*  
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RECIPIENT ADDRESS	
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RESULT	OK

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CHRISTOPHER  
&  
WEISBERG, P.A.  
ATTORNEYS AT LAW

200 EAST LAS OLAS BOULEVARD, SUITE 2040 FORT LAUDERDALE, FLORIDA 33301  
TELEPHONE (954) 828-1488 FACSIMILE (954) 828-9122

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MAR 17 2006

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## FAX COVER SHEET

DATE: March 17, 2006  
TO: **Beth-Ann Dayoon** FROM: Judith A. Parrish  
**Office of Petitions**  
FIRM: USPTO FAX NO.: (954) 828-9122  
FAX NO.: 1-571-273-0025 PHONE NO.: (954) 828-1488  
PHONE NO.: 1-571-272-3209 E-MAIL jparrish@cwiplaw.com  
FILE NO. 1172-3U PAGES, INCLUDING COVER 18

Re: **Application Number: 09/993,820**  
**Filing Date: November 16, 2001**  
**Applicant(s): Darin Prizzi**  
**Entitled: TOWEL HOLDER**  
**Examiner: Anita M. King**  
**Group Art Unit: 3632**  
**Attorney Docket No.: 1172-3U**

Dear Beth-Ann,

We enclose a copy of the petition as hand delivered on December 29, 2005. I spoke to Kenya McLaughlin earlier today and she suggested that I fax a copy to you. I am also faxing a copy to the main fax line @ 571-273-8300.

Please do not hesitate to contact me if you have any questions (954-828-1488).

Thank you.

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DATE RECEIVED AND RETURN**

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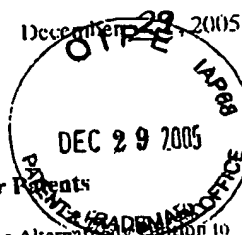
MAR 17 2006

**OFFICE OF PETITIONS**

Attorney Docket No. 1172-3U  
U.S. Patent Application No. 09/993,820  
Filed: November 16, 2001  
Applicant(s): Darin Prizzi  
Title: TOWEL HOLDER

Received by Box Petitions, Commissioner for Patents

1. Communication
2. A copy of Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revoke Unintentionally Abandoned Application Under 37 CFR 1.37(b) as filed by Applicant on March 7, 2005.
3. Copy of a Check to Director in the amount of \$85
4. Transmittal letter
5. Copy of cancelled check for previously paid filing fee



*This was hand delivered  
12/29/05*

CHRISTOPHER & WEISBERG, P.A.  
200 East Las Olas Boulevard - Suite 2040  
Fort Lauderdale, Florida 33301  
Telephone: (954) 828-1488; Facsimile: (954) 828-9122

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
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Re: Application No: 09/993,820  
Applicant(s): Darin Prizzi  
Filing Date: 11/16/2001  
Entitled: TOWEL HOLDER  
Attorney Docket No. 1172-3U

Examiner: Anita M. King  
Group Art Unit: 3632

Certificate of Mailing (37 C.F.R. 1.8(a))		
I hereby certify that this correspondence is being <b>Hand Delivered</b> in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.		
December 29, 2005	Scott Paul, Esq.	Scott Paul /s/
Date of Signature and Mail Deposit	Name of Person Signing	Signature

Sir:

Transmitted herewith is a COMMUNICATION, and the following documents for your review:

- ☒ Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 CFR 1.37(b) as filed by Applicant on March 7, 2005 to Mail Stop Petitions, Commissioner for Patents
- ☒ Notice of Change of Correspondence Address is enclosed.
- ☒ Copy of cancelled check for previously paid petition (fee for \$665) is enclosed.
- ☒ Copy of a check for \$85 dated March 3, 2005 for new petition fee is enclosed.
- ☒ A self-addressed, stamped postcard for verification and receipt is enclosed.
- ☒ The Commissioner is hereby authorized to credit overpayments or charge payment of any additional fees associated with this communication to Deposit Account No. 502104.

Dated: December 29, 2005

Allen D. Brufsky /s/  
Attorney of Record: Allen D. Brufsky  
Registration No: 21,056

46108

## PATENT

## Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being **Hand Delivered** in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.

Scott Paul, Esq.  
Name of Person Delivering Paper

\_\_\_\_\_  
Signature of Person Delivering Paper

December 29, 2005  
Date of Deposit

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 17 2006

OFFICE OF PETITIONS

Application Number: 09/993,820  
Filing Date: November 16, 2001  
Applicant(s): Darin Prizzi  
Entitled: TOWEL HOLDER  
Examiner: Anita M. King  
Group Art Unit: 3632  
Attorney Docket No.: 1172-3U

Mail Stop Petitions  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATIONS

On March 7, 2005, Applicant submitted a "Renewed Petition Under 37 C.F.R. 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. 1.37(b)." A copy of the Renewed Petition as filed on March 7, 2005, is attached as Exhibit A.

To date, a decision has not been rendered. Furthermore, a check with the USPTO website, specifically, the transaction history for this Application, shows that said petition is not

Application No. 09/993,820  
Filed: 11/16/2001  
Attorney Docket No.: 1172-3U

recorded as being received by the USPTO. In fact, the last entry on the transaction history for this Application dates back to June 30, 2004. A copy of the transaction history is enclosed as Exhibit A.

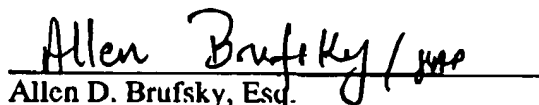
On March, 14, 2005, the undersigned attorney received the return postcard from the USPTO, indicating receipt of said petition on March 11, 2005. A copy of the return postcard is attached as Exhibit B.

Furthermore, a check in the amount of \$85.00, made payable to the Director of the USPTO, check no. 4360, and dated March 3, 2005, was submitted with the renewed petition, and later deposited by the USPTO on the drawers account.

WHEREFORE, we enclose herewith, the "Renewed Petition Under 37 C.F.R. 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. 1.37(b)" and request that the filing date for this Renewed petition be as at March 11, 2005, the date it was originally received by the USPTO.

Date: December 29, 2005

Respectfully submitted,

  
Allen D. Brufsky, Esq.  
Registration Number 21056  
Attorney for Applicant  
CHRISTOPHER & WEISBERG, P.A.  
200 East Las Olas Boulevard, Suite 2040  
Fort Lauderdale, Florida 33301  
Customer No. 31292  
Telephone: (954) 828-1488  
Facsimile: (954) 828-9122

45909



# EXHIBIT A

**USPTO: PLEASE VERIFY, STAMP DATE  
RECEIVED AND RETURN**

March 7, 2005

Attorney Docket No. 1172-3U, U.S. continuation patent application -

Applicant(s):

For: TOWEL HOLDER

**Received by Box Petitions, Commissioner for Patents**

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200 East Las Olas Boulevard - Suite 2040  
Fort Lauderdale, Florida 33301  
Telephone: (954) 828-1488; Facsimile: (954) 828-9122

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
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Re: Application No: 09/993,820  
Applicant(s): Darin Prizzi  
Filing Date: 11/16/2001  
Entitled: TOWEL HOLDER  
Attorney Docket No. 1172-3U

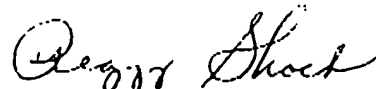
Examiner:  
Group Art Unit:

Certificate of Mailing (37 C.F.R. 1.8(a))

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March 7, 2005

Peggy Shock

  
Signature

Date of Signature and Mail Deposit

Name of Person Signing

Sir:

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for \$85 for new petition fee.

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Date: March 7, 2005

  
Attorney of Record: Allen D. Brufsky  
Registration No: 21,056

30804

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:      Darin Prizzi  
Title:                      Towel Holder  
Serial No.:                09/993,820  
Filed:                      November 16, 2001

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

---

**RENEWED PETITION UNDER 37 C.F.R. 1.81 OR ALTERNATIVELY  
PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
APPLICATION UNDER 37 C.F.R. 1.37(b)**

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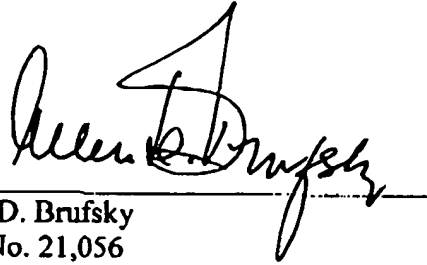
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with the original petition to withdraw the holding of abandonment. The entire reply from the due date for the reply until the filing of this petition was unintentional as indicated by the factual findings. The fee for the petition of \$665 (small entity) was previously paid by Check No. 2871, a copy of which is enclosed. Enclosed is a check for \$85, representing the difference in the current fees.

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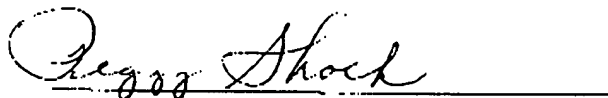


Allen D. Brufsky  
Reg. No. 21,056  
200 East Las Olas Boulevard  
Suite 2040  
Fort Lauderdale, FL 33301  
Phone: 954-828-1488  
Fax: 954-828-9122  
CUSTOMER NUMBER 32575

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this communication is being deposited with the United States Postal Service with sufficient postage as "First-Class" mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 7, 2005.

  
Peggy Shock

30641

## PATENT

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Peggy Shock  
Name of Person Mailing Paper

Peggy Shock  
Signature of Person Mailing Paper

March 7, 2005  
Date of Deposit

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Filing Date: November 16, 2001  
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Entitled: TOWEL HOLDER  
Examiner: Anita M. King  
Group Art Unit: 3632  
Attorney Docket No.: 1172-3U

NOTICE OF CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please address all future communications for the above-identified application to:

Allen D. Brufsky, Reg. No.: 21056  
CHRISTOPHER & WEISBERG, P.A.  
200 East Las Olas Boulevard - Suite 2040  
Fort Lauderdale, Florida 33301  
Tel: (954) 828-1488  
Fax: (954) 828-9122  
Customer No. 32575

Respectfully submitted,

Dated: March 7, 2005

By:

Allen D. Brufsky  
Allen D. Brufsky  
Reg. No. 21056  
Attorney for Applicant(s)  
Christopher & Weisberg, P.A.  
200 East Las Olas Boulevard, Suite 2040  
Fort Lauderdale, FL 33301  
Customer No. 31292

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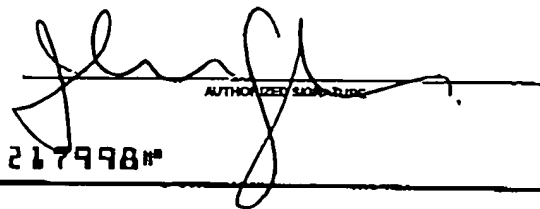
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## **EXHIBIT B**



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Application Transaction Data	History	Published Documents	Publication Dates	Address & Priority/Agent
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Date	Contents Description
06-30-2004	Workflow Incoming petition IFW
06-17-2004	Petition Decision - Dismissed
04-26-2004	Petition Entered
04-26-2004	Workflow Incoming petition IFW
03-09-2004	Mail Abandonment for Failure to Respond to Office Action
03-08-2004	Abandonment for Failure to Respond to Office Action
08-26-2003	Mail Notice of Informal or Non-Responsive Amendment
08-22-2003	Date Forwarded to Examiner
08-07-2003	Informal or Non-Responsive Amendment after Examiner Action
08-07-2003	Response after Non-Final Action
05-07-2003	Mail Non-Final Rejection
05-05-2003	Non-Final Rejection
02-26-2003	Date Forwarded to Examiner
02-12-2003	Supplemental Response

02-26-2003	Date Forwarded to Examiner
02-12-2003	Request for Continued Examination (RCE)
02-26-2003	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
02-12-2003	Workflow - Request for RCE - Begin
11-27-2002	Mail Final Rejection (PTOL - 326)
11-25-2002	Final Rejection
09-24-2002	Date Forwarded to Examiner
09-16-2002	Response after Non-Final Action
08-14-2002	Mail Non-Final Rejection
08-09-2002	Non-Final Rejection
02-05-2002	Correspondence Address Change
12-31-2001	Case Docketed to Examiner in GAU
12-11-2001	Application Dispatched from OIPE
12-07-2001	Correspondence Address Change
12-03-2001	IFW Scan & PACR Auto Security Review
11-16-2001	Initial Exam Team nn

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## EXHIBIT C

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March 7, 2005

Attorney Docket No. 1172-30, U.S. continuation patent application -

Applicant(s):

For: TOWEL HOLDER

Received by Box Petitions, Commissioner for Patents

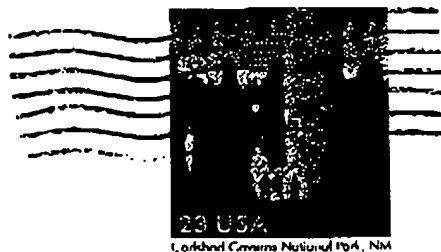
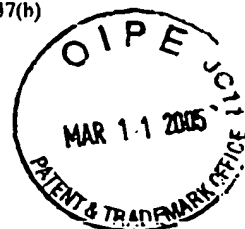
1. Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive

Unintentionally Abandoned Application Under 37 CFR 1.37(h)

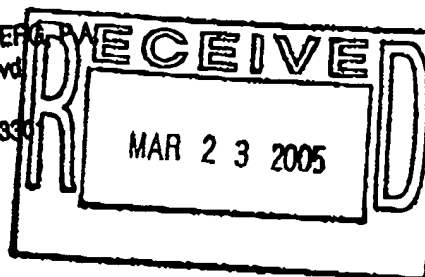
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3. Transmittal letter

4. Copy of cancelled check for previously paid filing fee



CHRISTOPHER & WEISBERG  
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